

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

PATRICK ROMANO, *et al.*,

Plaintiffs,

vs.

TORCH ELECTRONICS, LLC, *et al.*,

Defendants.

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Case No. 2:23-cv-04043-BCW

**DEFENDANT RAMI ALMUTTAN’S JOINDER IN PARTIAL MOTION TO DISMISS
FILED BY DEFENDANTS MOHAMMED ALMUTTAN AND MALLY, INC**

Comes now Defendant, Rami Almuttan, and hereby joins in co-defendants, Mohammed Almuttan and Mally Inc’s Partial Motion to Dismiss [ECF Doc. 37]. Specifically, Defendant Rami Almuttan respectfully moves this Court pursuant to Federal Rule of Civil Procedure 12(b)(6), to dismiss Count I for failure to state a civil RICO claim under 18 U.S.C. § 1964(c). Additionally, Rami Almuttan respectfully moves this Court, pursuant to Federal Rule of Civil Procedure 12(b)(6), to dismiss Count III for failure to state a claim because it relies on Section 434.030 of the Revised Statutes of Missouri, which is an unconstitutional statute in violation of the Missouri Constitution. Rami Almuttan further requests that this Court grant any further and additional relief the Court deems just and proper under the circumstances.

In support of this Motion, Rami Almuttan respectfully incorporates his contemporaneously filed Joinder in Defendants Mohammed Almuttan and Mally Inc.’s Suggestions in Support.

WHEREFORE, Defendant Rami Almuttan respectfully moves this Court to enter an Order dismissing Counts I and III of Plaintiffs’ Complaint for failure to state a claim upon which relief may be granted, and for any further relief the Court may deem just and proper.

Respectfully submitted,

FRANK, JUENGEL & RADEFELD
ATTORNEYS AT LAW, P.C.

By: /s/ Matthew A. Radefeld
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on ***May 23, 2023*** the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Counsel for Defendant:

By: /s/ Matthew A. Radefeld
MATTHEW A. RADEFELD